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PTO/SB/21 (09-04)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/692764-Conf. #8952
	Filing Date	October 24, 2003
	First Named Inventor	Stuart B. LEVY
	Art Unit	1614
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	PAZ-205CP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard PTO form SB/08 Certificate of Mailing Copies of Twenty-two (22) References
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	LAHIVE & COCKFIELD, LLP	
Signature	<i>Cynthia M. Soroos</i>	
Printed name	Cynthia M. Soroos	
Date	June 6, 2006	Reg. No. 53,623

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Application No. (if known): 10/692764

Attorney Docket No.: PAZ-205CP

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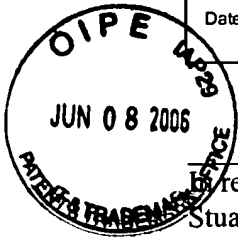
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PTO form SB/08 (77 References) (3 pages)  
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Signature:   
(Cynthia M. Sorros)

Docket No.: PAZ-205CP  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Stuart B. Levy *et al.*

Application No.: 10/692764

Confirmation No.: 8952

Filed: October 24, 2003

Art Unit: 1614

For: METHODS OF USING SUBSTITUTED  
TETRACYCLINE COMPOUNDS TO  
MODULATE RNA

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application in accordance with 37 CFR 1.98(a)(2)(ii). Applicant submits herewith copies of foreign patents and non-patent references in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent,

publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

**Applicants bring to the Examiners’s attention the following co-pending applications:**

U.S. Serial No.	10/786710	Filing Date	February 24, 2004
U.S. Serial No.	10/652712	Filing Date	August 28, 2003
U.S. Serial No.	11/305048	Filing Date	December 16, 2005
U.S. Serial No.	11/397445	Filing Date	April 4, 2006
U.S. Serial No.	10/853635	Filing Date	May 24, 2004
U.S. Serial No.	10/738862	Filing Date	December 16, 2003
U.S. Serial No.	10/839023	Filing Date	May 04, 2004
U.S. Serial No.	10/921580	Filing Date	August 18, 2004
U.S. Serial No.	10/692563	Filing Date	October 24, 2003
U.S. Serial No.	10/943571	Filing Date	September 16, 2004
U.S. Serial No.	10/996119	Filing Date	November 22, 2004
U.S. Serial No.	11/283571	Filing Date	November 18, 2005
U.S. Serial No.	10/619653	Filing Date	July 14, 2003
U.S. Serial No.	10/636437	Filing Date	August 6, 2003
U.S. Serial No.	11/292552	Filing Date	December 2, 2005
U.S. Serial No.	10/752378	Filing Date	January 5, 2004
U.S. Serial No.	10/737361	Filing Date	December 15, 2003
U.S. Serial No.	10/740961	Filing Date	December 18, 2003
U.S. Serial No.	11/182247	Filing Date	July 14, 2005
U.S. Serial No.	11/004559	Filing Date	December 3, 2004
U.S. Serial No.	10/616531	Filing Date	July 9, 2003
U.S. Serial No.	10/982728	Filing Date	November 4, 2004

U.S. Serial No.	10/819343	Filing Date	April 5, 2004
U.S. Serial No.	10/820456	Filing Date	April 7, 2004
U.S. Serial No.	10/866220	Filing Date	June 10, 2004
U.S. Serial No.	11/300917	Filing Date	December 15, 2005
U.S. Serial No.	11/069197	Filing Date	February 25, 2005
U.S. Serial No.	11/390902	Filing Date	March 28, 2006
U.S. Serial No.	10/786881	Filing Date	February 24, 2004
U.S. Serial No.	10/877928	Filing Date	June 25, 2004
U.S. Serial No.	10/877454	Filing Date	June 25, 2004
U.S. Serial No.	11/330700	Filing Date	January 12, 2006
U.S. Serial No.	11/258622	Filing Date	October 25, 2005
U.S. Serial No.	11/258613	Filing Date	October 25, 2005
U.S. Serial No.	11/348608	Filing Date	February 6, 2006
U.S. Serial No.	11/039230	Filing Date	January 18, 2005


It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. PAZ-205CP. A duplicate copy of this paper is enclosed.

Dated: June 6, 2006

CMS/MLR/mch

Respectfully submitted,

By 

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PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/692764-Conf. #8952
				Filing Date	October 24, 2003
				First Named Inventor	Stuart B. LEVY
				Art Unit	1614
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	PAZ-205CP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1*	US-5,563,130	10-08-1996	Backer et al.	
	A2*	US-5,567,963	10-22-1996	Rao	
	A3*	US-5,574,026	11-12-1996	Backer, et al.	
	A4*	US-5,668,122	09-16-1997	Fife et al.	
	A5*	US-5,837,696	11-17-1998	Golub et al.	
	A6*	US-5,843,925	12-01-1998	Backer et al.	
	A7*	US-5,843,995	12-01-1998	Rana et al.	
	A8*	US-5,856,315	01-05-1999	Backer et al.	
	A9*	US-5,900,235	05-04-1999	Gosselin et al.	
	A10*	US-6,100,248	08-08-2000	Golub et al.	
	A11*	US-6,642,270-A1	04-18-2002	Nelson et al.	
	A12*	US-20020045603-A1	04-18-2002	Golub et al.	
	A13*	US-6,818,634-A1	08-01-2002	Nelson et al.	
	A14*	US-20020128237-A1	09-12-2002	Nelson et al.	
	A15*	US-20020128238-A1	09-12-2002	Nelson et al.	
	A16*	US-20020132798-A1	09-19-2002	Nelson et al.	
	A17*	US-6,500,812-A1	12-31-2002	Nelson et al.	
	A18*	US-6,841,546-A1	05-29-2003	Draper et al.	
	A19*	US-6,846,939-A1	07-03-2003	Nelson et al.	
	A20*	US-20030166585-A1	09-04-2003	Draper et al.	
	A21*	US-6,617,318	09-09-2003	Nelson, M.L., et al.	
	A22*	US-6,624,168	09-23-2003	Nelson, M.L., et al.	
	A23*	US-20030186281-A1	10-02-2003	Hillen	
	A24*	US-20030215873-A1	11-20-2003	Alekshun et al.	
	A25*	US-20030219407-A1	11-27-2003	Ding et al.	
	A26*	US-6,683,068	01-27-2004	Nelson, M.L., et al.	
	A27*	US-20040033996-A1	02-19-2004	Nelson et al.	
	A28*	US-20040048835-A1	03-11-2004	Nelson et al.	
	A29*	US-20040063674-A1	04-01-2004	Levy et al.	
	A30*	US-20040092490-A1	05-13-2004	Draper et al.	
	A31*	US-20040138183-A1	07-15-2004	Nelson et al.	
	A32*	US-20040152674-A1	08-05-2004	Levy et al.	
	A33*	US-20040157806-A1	08-12-2004	Nelson et al.	
	A34*	US-20040214801-A1	10-28-2004	Nelson et al.	
	A35*	US-6,818,635	11-16-2004	Nelson, Mark L., et al.	
	A36*	US-20040242548-A1	12-02-2004	Draper et al.	
	A37*	US-6,833,365-A1	12-21-2004	Levy et al.	
	A38*	US-20040266740-A1	12-30-2004	Huss et al.	
	A39*	US-20050020545-A1	01-27-2005	Draper et al.	
	A40*	US-6,849,615-A1	02-01-2005	Nelson et al.	
	A41*	US-20050026875-A1	02-03-2005	Nelson et al.	
	A42*	US-20050026876-A1	02-03-2005	Nelson et al.	
	A43*	US-20050038002-A1	02-17-2005	Nelson et al.	
	A44*	US-20050070510-A1	03-31-2005	Draper et al.	
	A45*	US-20050119235-A1	06-02-2005	Nelson et al.	

Examiner Signature		Date Considered	
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				Application Number	10/692764-Conf. #8952
				Filing Date	October 24, 2003
				First Named Inventor	Stuart B. LEVY
				Art Unit	1614
				Examiner Name	Not Yet Assigned
Sheet	2	of	3	Attorney Docket Number	PAZ-205CP

A46*	US-20050137174-A1	06-23-2005	Ohemeng et al.	
A47*	US-20050143352-A1	06-30-2005	Nelson et al.	
A48*	US-20050143353-A1	06-30-2005	Nelson et al.	
A49*	US-20050148551-A1	07-07-2005	Nelson et al.	
A50*	US-20050187198-A1	08-25-2005	Nelson et al.	
A51*	US-20050215532-A1	09-29-2005	Levy et al.	
A52*	US-20050250744-A1	11-10-2005	Levy et al.	
A53*	US-20050288262-A1	12-29-2005	Bandarage et al.	
A54*	US-7,001,918-A1	02-21-2006	Huss et al.	
A55*	US-7,045,507-A1	05-16-2006	Draper et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B1	WO-92/12717-A2	08-06-1992	Brem, Henry et al.		
	B2	WO-98/31224-A1	07-23-1998	The Research Foundation of State University of New York et al.		
	B3	WO-99/49871-A1	10-07-1999	The Research Foundation of State University of New Yori		
	B4	WO-00/28983-A1	05-25-2000	Collagenex Pharmaceuticals, Inc.		
	B5	WO-01/87823-A1	11-22-2001	Collagenex Pharmaceuticals, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	Amin, A.R. et al, "Post-transcriptional regulation of inducible nitric oxide synthase mRNA in murine macrophages by doxycycline and chemically modified tetracyclines," <i>FEBS</i> , Vol. 410(2):259-264 (1997)	
	C2	Friedman, Kenneth J. et al, "Correction of Aberrant Splicing of the Cystic Fibrosis Transmembrane Conductance Regulator (CFTR) Gene by Antisense Oligonucleotides," <i>The Journal of Biological Chemistry</i> , Vol. 274(51):36193-36199 (1999)	
	C3	Hertweck, Maren et al, "Inhibition of nuclear pre-mRNA splicing by antibiotics <i>in vitro</i> ," <i>Eur. J. Biochem.</i> , Vol. 269:175-183 (2002)	
	C4	Karras, James G. et al, "Deletion of Individual Exons and Induction of Soluble Murine Interleukin-5 Receptor- $\alpha$ Chain Expression through Antisense Oligonucleotide-Mediated Redirection of Pre-mRNA Splicing," <i>Molecular Pharmacology</i> , Vol. 58:380-387 (2000)	
	C5	Krawczak, Michael et al, "The mutational spectrum of single base-pair substitutions in mRNA splice junctions of human genes: Causes and consequences," <i>Human Genetics</i> , Vol. 90(1-2):41-54 (1992)	
Examiner Signature			Date Considered

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			Art Unit	1614	
			Examiner Name	Not Yet Assigned	
Sheet	3	of	3	Attorney Docket Number	PAZ-205CP

C6	Lim, Sharlene R. et al, "Modulation of Survival Motor Neuron Pre-mRNA Splicing by Inhibition of Alternative 3' Splice Site Pairing," <i>The Journal of Biological Chemistry</i> , Vol. 276(48):45476-45483 (2001)	
C7	Liu, Y. et al, "Inhibition of in vitro splicing of a group I intron of <i>Pneumocystis carinii</i> ," <i>J. Euk. Microbiol.</i> , Vol. 41:31-38 (1994)	
C8	Nakai, K. et al, "Construction of a novel database containing aberrant splicing mutations of mammalian genes," <i>Gene</i> , Vol. 141(2):171-177 (1994)	
C9	Nelson, M. et al, "Tetracyclines in Biology, Chemistry and Medicine," Published by Birkhäuser, pp. 177-196 (2001)	
C10	Philips, A.V. et al, "RNA processing and human disease," <i>Cellular and Molecular Life Sciences</i> , Vol. 57(2):235-249 (2000)	
C11	Sazani, Peter et al, "Systemically delivered antisense oligomers upregulate gene expression in mouse tissue," <i>Nature Biotechnology</i> , Vol. 20:1228-1233 (2002)	
C12	Sazani, Peter et al, "Nuclear antisense effects of neutral, anionic and cationic oligonucleotide analogs," <i>Nucleic Acids Research</i> , Vol. 29(19):3965-3974 (2001)	
C13	Schroeder, Renée et al, "Modulation of RNA function by aminoglycoside antibiotics," <i>The EMBO Journal</i> , Vol. 19(1):1-9 (2000)	
C14	Stoss, Oliver et al, "Misregulation of pre-mRNA splicing that causes human diseases. Concepts and therapeutic strategies," <i>Gene Therapy and Molecular Biology</i> , Vol. 5:9-30 (2000)	
C15	Wei, Yi et al, "Tetracycline Induces Stabilization of mRNA in <i>Bacillus subtilis</i> ," <i>Journal of Bacteriology</i> , Vol. 184(4):889-894 (2002)	
C16	Wilton, S.D. et al, "Specific removal of the nonsense mutation from the mdx dystrophin mRNA using antisense oligonucleotides," <i>Neuromuscular Disorders</i> , Vol. 9(5):330-338 (1999)	
C17	International Search Report Application No. PCT/US03/33926, dated August 24, 2004	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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